

IN THE UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

SAEED ALI M. ALSHEHRIE,

Plaintiff,

v.

GEORGE MASON UNIVERSITY,

Defendant.

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Civil No. 1:19-cv-00413-AJT-MSN

REPORT & RECOMMENDATION

This matter comes before the Court on plaintiff's Motion for Leave to Proceed *In Forma Pauperis* (Dkt. No. 2). In support of the motion, plaintiff filed an affidavit that indicates that he is unable to pay the costs of these proceedings. Upon consideration of plaintiff's motion and the supporting affidavit, as well as his Complaint (Dkt. No. 1), the undersigned Magistrate Judge recommends denying plaintiff's motion for the reasons that follow.

I. Background

"A district court has discretion to grant or deny an application for in forma pauperis status." *Clarke v. Richmond Behavioral Health Authority*, 402 Fed. App'x 764, 766 (4th Cir. 2010). When a district court determines that a petition is frivolous, the court may deny leave to proceed in forma pauperis. *See id.*; *see also* 28 U.S.C. § 1915(e)(2)(B)(i) (requiring a court to "dismiss the case at any time if the court determines that" the action "is frivolous or malicious"). "Examples of frivolous claims include those whose factual allegations are 'so nutty,' 'delusional,' or 'wholly fanciful' as to be simply 'unbelievable.'" *McLean v. United States*, 566 F.3d 391, 399 (4th Cir. 2009) (internal citations omitted).

Here, plaintiff alleges violations under Title IX of the Education Amendments Act of 1972, 20 U.S.C. § 1681 *et seq.* ("Title IX") and the Civil Rights Act of 1964 ("Civil Rights Act"). *See*

Compl. (Dkt. No. 1) 3. Plaintiff's Complaint contains numerous grievances with defendant, such as losing his Graduate Research Assistance position, having an illegitimate hold placed on his student account, failing to transfer credit hours from his prior master's degree, being retaliated against by his teachers when they failed him on his exams, among other similar claims. *Id.* at 6-10. Accordingly, plaintiff alleges that defendant deprived him of "many human and civil rights," subjected him to unequal treatment by school officials, and prevented him from accessing school amenities, including the student office, the kitchen, the printing station, the vending machines, and the "PhD Handbook." *Id.* at 4. These frivolous allegations, even accepted as true, do not state a claim for relief under Title IX or the Civil Rights Act that is plausible on its face.

II. Recommendation

For the foregoing reasons, the undersigned recommends DENYING plaintiff's Motion for Leave to Proceed *In Forma Pauperis* (Dkt. No. 2).

III. Notice

By means of the Court's electronic filing system and by mailing a copy of this Report and Recommendation to plaintiff at his address for service of process, he is notified as follows. Objections to this Report and Recommendation must be filed within fourteen (14) days of service on you of this Report and Recommendation. Failure to file timely objections to this Report and Recommendation waives appellate review of the substance of this Report and Recommendation and waives appellate review of a judgment based on this Report and Recommendation.

/s/

Michael S. Nachmanoff
United States Magistrate Judge

August 19, 2019
Alexandria, Virginia